16 PUBLIC HEALTH

16.1 Introduction

Per the 2021 *CEQR Technical Manual*, public health is the organized effort of society to protect and improve the health and well-being of the population through monitoring; assessment and surveillance; health promotion; prevention of disease, injury, disorder, disability and premature death; and reducing inequalities in health status. The *CEQR Technical Manual* states that the goal of a public health assessment is "to determine whether adverse impacts on public health may occur as a result of a proposed project and, if so, to identify measures to mitigate such effects."

16.2 Principal Conclusions

The Proposed Actions would not result in a significant adverse public health impact. Per the *CEQR Technical Manual*, if there are no unmitigated significant adverse impacts identified in CEQR analysis areas such as hazardous materials, water quality, air quality, noise, or construction, a public health analysis is not warranted. The Proposed Actions would not result in unmitigated significant adverse impacts in the CEQR technical areas of hazardous materials, water quality, air quality, or noise during either the operational or construction phases.

While the Proposed Actions would not result in a significant adverse impact to hazardous materials, water quality, air quality, noise, or construction, the Proposed Development does have the potential to improve the Bronx River's water quality over the No-Action Condition. Stormwater generated on the projected development sites is currently discharged directly to the Bronx River. In the With-Action Condition, new developments in the Proposed Rezoning Area would discharge stormwater to the river in accordance with current New York State Department of Environmental Conservation (NYSDEC) standards. New waterfront structures on Projected Development Site 2 would prevent the discharge of in-ground hazardous materials that may be present on this site into the Bronx River.

16.3 Methodology and Preliminary Screening

The *CEQR Technical Manual* states that a public health assessment is not necessary for most actions. Generally, a public health assessment is required when a proposed action has the potential to result in significant unmitigated adverse impacts to hazardous materials, water quality, air quality, or noise during construction or operations. While unlikely, a proposed action could have the potential to result in significant public health impacts unrelated to other technical areas. A public health assessment considers the extent of the potential environmental exposure, the potential health impacts and their significance, and, if warranted, recommends measures to reduce and prevent exposures. The assessment must first identify the extent of potential environmental exposures to the public as the result of a project. Secondly, the assessment must identify the potential health impacts associated with the identified exposure pathway related to that technical area. Therefore, the initial screening criteria to determine if a public health assessment is warranted is whether the proposed project would result in unmitigated significant adverse impacts in the CEQR technical areas of hazardous materials, water quality, air quality, or noise.

16.4 Existing Conditions

The Proposed Rezoning Area contains three development sites (Projected Development Site 1, Projected Development Site 2, and Potential Development Site A). Projected Development Site 1 comprises Block 3017, Lot 74 and contains 41,408 gross square feet (gsf) of lot area and is improved with a one-story, approximately 14,000-gsf automobile mechanic training facility. Projected Development Site 2 is a 97,892 sf lot in the south of the Proposed Rezoning Area and contains an open parking facility with four connected one-story accessory office buildings and one garage totaling approximately 25,197 gsf of building area.

Potential Development Site A, which is not currently owned by the Applicant, is comprised of Lots 60, 65, and 68, which could reasonably be merged into one zoning lot and redeveloped. Lot 68 is improved with a 14,411-sf open truck parking lot. Lot 65 is an approximately 19,070-sf lot improved with a 26,353-gsf three-story hotel that was developed in 2007. Lot 60 is an approximately 23,495-sf lot improved with a 16,398-gsf one-story vacant industrial building.

Phase I Environmental Site Assessments (ESA) conducted for Projected Development Sites 1 and 2 found seven recognized environmental concerns (RECs). Based on the Phase I ESA findings, a Phase II Environmental Site Investigation (ESI) was required. The Phase II ESI found fill material as well as Semivolatile Organic Compounds (SVOCs), metals, and other chemicals at concentrations over the regulatory criteria. Additionally, site investigation determined the waterfront structure on Projected Development Site 2 is in need of repair to ensure in-ground contaminants do not flow into the Bronx River. A Phase I ESA or Phase II ESI was not conducted for Potential Development Site A, which is not under the Applicants' control.

The dominant ambient noise sources in the area include vehicular traffic along Sheridan Boulevard and train traffic along an Amtrak right-of-way to the east. The ambient noise conditions were measured to be less than 85 A-weighted decibels (dBA), the *CEQR* noise

level above which prolonged exposure will eventually harm hearing and affect public health.

16.5 No-Action Condition

In the No-Action Condition, existing conditions in the Proposed Rezoning Area would remain. A one-story, approximately 14,000-gsf automobile mechanic training facility would remain on Projected Development Site 1, and an open parking facility with four connected one-story accessory office buildings and one garage would remain on Projected Development Site 2. Potential Development Site A would remain improved as a hotel, an open truck parking facility, and a vacant industrial building.

In the No-Action Condition, existing operations on the development sites would continue without remedial actions. Stormwater generated on the development sites would continue to be discharged directly to the Bronx River. The conditions of the waterfront structure on Projected Development Site 2 would remain, and hazardous materials would continue to have the potential to discharge into the Bronx River. Remedial actions related to hazardous materials would not be required because an E-Designation would not be mapped across the development sites for hazardous materials, air quality, or noise.

16.6 With-Action Condition

Operational

Hazardous Materials

A Phase I Environmental Site Assessment (ESA) identified seven Recognized Environmental Conditions (RECs) on Projected Development Sites 1 and 2. A Phase II Environmental Site Investigation (ESI) found fill material as well as SVOCs, metals, and other chemicals over the regulatory criteria. Due to the environmental concerns found on the projected development sites, the Applicant plans to enroll Projected Development Sites 1 and 2 into the Brownfield Cleanup Program (BCP). If accepted in the BCP, the Brownfield Cleanup Agreement (BCA) would provide regulatory oversight by NYSDEC and would preclude the potential for significant adverse hazardous materials impacts.

Additionally, an E-Designation would be mapped across the projected and potential development sites, which would preclude significant adverse hazardous materials impacts because certain hazardous materials remediation requirements would be in place. With the proposed E-Designation (E-714) in place for the projected and potential development sites, the Proposed Actions would not result in significant adverse public health impacts in the area of hazardous materials, and no further analysis is warranted.

Water Quality

The Proposed Actions would not result in a significant adverse water and sewer infrastructure impact. The Proposed Rezoning Area is within a combined sewer overflow (CSO) drainage area, where stormwater runoff and sanitary wastewater are directed to the Hunts Point Wastewater Resource Recovery Facility (WRRF) before being treated and then discharged to the East River by the New York City Department of Environmental Protection (DEP). During heavy rainstorms, combined sewer systems receive higher than normal flows and occasionally exceed the capacity of the Hunts Point Water Resource

Recovery Facility (WRRF) and the excess mixture of stormwater and untreated sewage discharges directly into the City's waterway. These occurrences are called combined sewer overflow (CSO) events.

Compared to the No-Action Condition, the With-Action Condition would improve the Bronx River's water quality. The development sites have historically been used for industrial purposes and may contain hazardous materials in their soils. With the Proposed Actions, an E-Designation would be mapped across the development sites. This E-Designation would require remedial oversight from the Mayor's Office of Environmental Remediation (OER) in connection with new construction. The oversight provided by OER would reduce the potential for hazardous materials that may exist on the development sites to migrate to the Bronx River. Stormwater generated on the development sites would be discharged directly to the Bronx River in accordance with current NYSDEC standards during CSO events. Accordingly, the Proposed Actions would not result in significant adverse public health impacts in the area of water quality, and no further analysis is warranted.

Air Quality

The Proposed Actions would not result in a significant adverse air quality impact. As described in Chapter 13, "Air Quality," project-generated buildings would be the tallest structures within 400 feet of the development site. Emissions from project-generated buildings would not cause air quality pollutants in concentrations that would exceed impact criteria at existing nearby receptors. An E-Designation would be mapped across the projected development sites that would require electricity or steam as a fuel source for the building's heat and hot water systems. At Potential Development Site A, the E-Designation would limit the fuel source for the building's heat and hot water to natural gas, electricity, or steam, and would require the emissions stack release at the building's highest tier. The E-Designation (E-714) would preclude the potential for significant adverse air quality impacts.

The Proposed Actions would not introduce a new industrial air emissions source. Additionally, the Proposed Actions would not generate significant adverse air quality impacts from project-generated mobile sources (traffic). Accordingly, the Proposed Actions would not result in significant adverse public health impacts in the area of air quality, and no further analysis is warranted.

Noise

The Proposed Rezoning Area is near the elevated No. 6 subway line, an Amtrak right-of-way, and vehicular traffic along both Sheridan Boulevard and Westchester Avenue. Noise readings conducted around the Proposed Rezoning Area indicate that the ambient noise conditions do not exceed 85 dB(A), the noise level above which poses public health concerns. The Proposed Actions would not introduce a noise source that is atypical of new mixed-use residential development in an urban setting, and new mechanical equipment would comply with the New York City Noise Code. The Proposed Actions also would not double existing peak-hour traffic volumes in the Study Area.

New buildings on the development sites would be required to provide façade attenuation to meet the CEQR-recommended interior L_{10} noise environment of 45 dB(A) for residential and community facility uses or 50 dB(A) for commercial office uses and interior L_{dn} noise environment of 40 dB(A) for residential uses . An E-Designation would be mapped across

the Proposed Rezoning Area with façade-specific attenuation requirements as described in Chapter 15 "Noise". An alternate means of ventilation (i.e., air conditioning) that does not degrade the acoustical performance of the proposed buildings' façades would also be required.

With an E-Designation in place for the development sites, the Proposed Actions do not have the potential to result in a significant adverse noise impact and no further analysis is required.

Project-generated development may also shield some portions of Starlight Park and other uses in the north of the Study Area from noise generated by the elevated No. 6 subway above Westchester Avenue, resulting in less noise on the park from the elevated subway. Accordingly, the Proposed Actions would not result in a significant adverse public health impact in the area of noise and no further analysis is necessary.

Construction

Hazardous Materials

Project-generated construction does not have the potential to result in significant adverse public health impacts in the area of hazardous materials. The Applicant is actively seeking to enroll Projected Development Sites 1 and 2 into the BCP. If accepted in the BCP, the Brownfield Cleanup Agreement (BCA) would provide regulatory oversight by NYSDEC and would preclude the potential for significant adverse hazardous materials impacts during construction.

Additionally, a hazardous materials E-Designation would be mapped across the projected and potential development sites. If the Applicant is not accepted or withdraws from the voluntary BCP, the E-Designation would preclude significant adverse hazardous materials impacts during construction through oversight provided by the New York City Mayor's Office of Environmental Remediation (OER).

With the inclusion of the measures required by the BCP or E-Designations, project-generated construction would not result in significant adverse impacts related to public health in the area of hazardous materials, and no further analysis is warranted.

Water Quality

Project-generated construction does not have the potential to result in significant adverse public health impacts in the area of water quality. New waterfront structures on Projected Development Site 2 would be designed to prevent the discharge of in-ground hazardous materials to the Bronx River, which could threaten public health and safety. NYSDEC and the United States Army Corp of Engineers (USACE) would maintain oversight of construction through the permitting process, and construction would comply with all applicable NYSDEC regulations to minimize temporary effects to water quality. Accordingly, with this oversight from NYSDEC, project-generated construction would not result in significant adverse public health impacts in the area of water quality, and no further analysis is warranted.

Air Quality

Project-generated construction does not have the potential to result in significant adverse public health impacts in the area of air quality. As described in Chapter 18, "Construction," detailed air quality modeling was completed for construction equipment in the intensive

construction phase and found that the worst-case construction-generated air effects would occur between construction months 10 through 17. Dispersion modeling of construction-related air emissions for both on-site and off-site sources determined that the annual-average NO_2 and 24-hour and annual $PM_{2.5}$ concentrations would be below regulatory thresholds at the sensitive receptors during peak construction. Therefore, project-generated emissions from construction would not exceed CEQR impact thresholds. Accordingly, construction of the Proposed Actions would not result in significant adverse public health impacts in the area of air quality, and no further analysis is warranted.

Noise

Project-generated construction does not have the potential to result in significant adverse public health impacts in the area noise. During construction of Projected Development Site 1 and Projected Development Site 2, the increases in noise levels at nearby receptors would primarily be caused by the noise emitted from construction equipment and from vehicles traveling to and from the construction site. Construction-generated noise levels at sensitive receptors vary widely and depend on the stage of construction and the location of the construction activities relative to noise-sensitive receptor locations.

The detailed noise analysis found that Project-generated construction may increase noise levels by more than the CEQR screening threshold of 3 dBA, thus the analysis assumed a uniform worst-case condition. The highest increase in noise levels would be experienced at the existing hotel on Potential Development Site A, where noise is projected to increase by up to 19.4 dBA for one quarter. While there were instances when noise increases would reach 15 dBA or more, analysis showed that these noise increases would not persist 12 consecutive months (4 quarters) or more and, therefore, project-generated construction does not have the potential to result in noise increases exceeding thresholds of 15 dBA over four quarters or 20 dBA over one quarter. Accordingly, construction of the Proposed Actions would not result in a significant adverse public health impact in the area of noise, and no further analysis is warranted.